

REMARKS

Claims 2, 3, 5 – 13, 16, and 18 – 25 remain in the application. Claims 4, 15 and 17 have been objected to, but are indicated to be allowable, if rewritten in independent form. Accordingly, claims 4, 15 and 17 are rewritten as new claims 48 – 50, respectively, as directed by the Examiner. New claims 51 – 58 are added to depend from new claim 50 (rewritten claim 17). Claims 1, 4, 14, 15, 17 and 26 – 47 are canceled herein without prejudice. No new matter has been added.

Figure 3K is objected to because “202” designates two different elements. Upon review of Figure 3K, applicants noticed that one instance of 202 had, inadvertently, labeled the “thin gate dielectric 204” as described in paragraph 0027. Applicants also noticed that this typographical error in Figure 3K was also included in Figures 3I and J. Further, applicants noted that “polysilicon spacers 206” had been inadvertently labeled 204 in Figure 3I. Accordingly, replacement sheets including Figures 3I – K are included herewith. Annotated sheets showing changes follow the replacement sheets. Reconsideration and withdrawal of the objection to the drawings is respectfully solicited.

Applicants believe that all original claims are allowable over all references of record. Be that as it may, however, rejected claims 1, 4 and 26 – 47 are canceled herein without prejudice, obviating the need for any discussion of the rejection over references of recordation.

Objected to claims 4, 15 and 17 were indicated to be allowable if rewritten in independent form. Having rewritten objected to claims 4, 15 and 17 as new claims 48 – 50, new claims 48 – 50 are allowable. Dependent claims 2, 3, 5 – 13, 16 and 18 – 25 are amended to depend from new claims 48 – 49. New claims 51 – 58 are claims 16, 18 – 25

AMENDMENT
August 25, 2005

YOR920030479US1
Serial No. 10/717,737

rewritten to depend from new allowable claim 50. Accordingly, all remaining claims are allowable. Reconsideration and prompt allowance is respectfully solicited.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 50-0510 and advise us accordingly.

Respectfully Submitted,



Charles W. Peterson, Jr.
Registration No. 34,406

August 25, 2005
(Date)

Customer No. 33233
Law Office of Charles W. Peterson, Jr.
11703 Bowman Green Dr, Suite 100
Reston, VA 20171
Telephone: (703) 481-0532
Facsimile: (703) 481-0585

AMENDMENT
August 25, 2005

YOR920030479US1
Serial No. 10/717,737

APPENDIX

AMENDMENT
August 25, 2005

YOR920030479US1
Serial No. 10/717,737

AMENDMENTS TO THE DRAWINGS:

The attached two (2) sheets of drawings include changes to Figures 3I – K. These 2 sheet, which include Figures 3I – K, replace the original sheets 12 and 13 including Figures 3I – K. Two (2) annotated sheets showing changes follow the replacement sheets.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

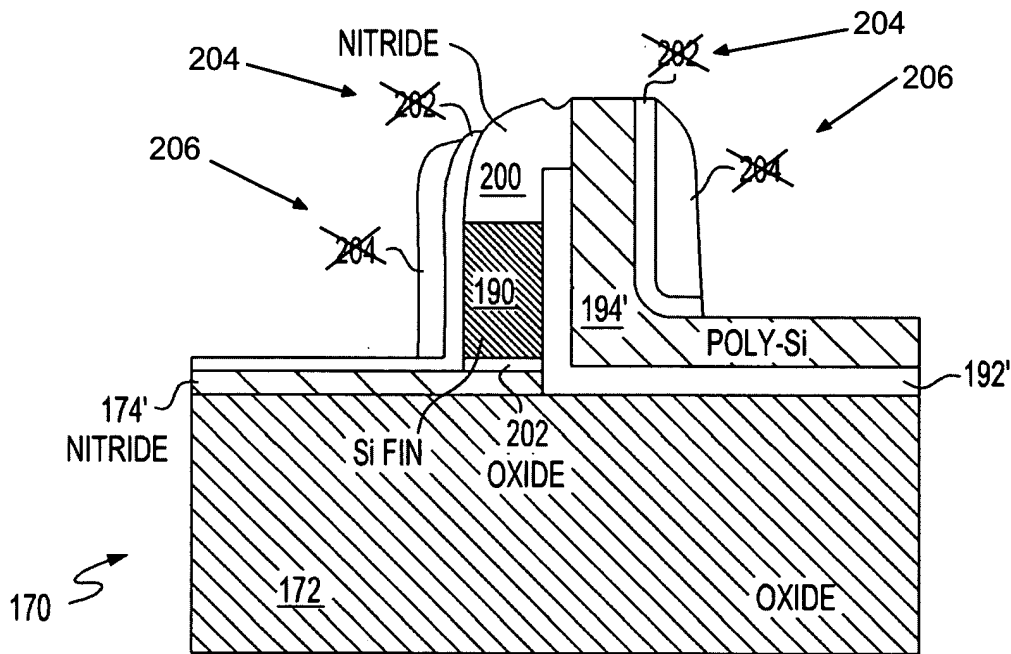


FIG. 31

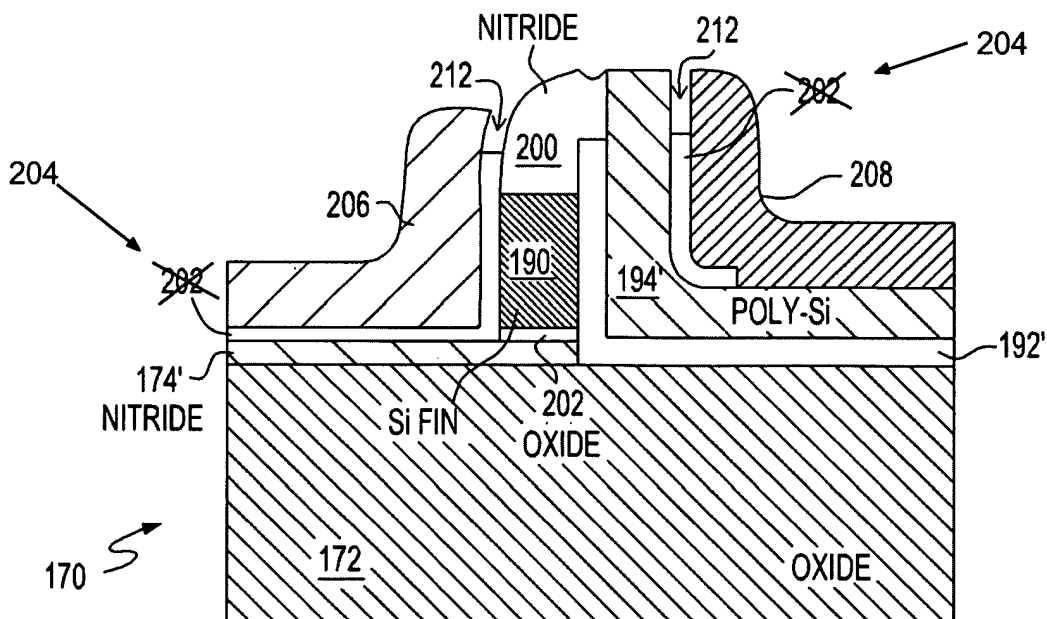


FIG. 3J

